IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 10TH NOVEMBER 2006 / 19TH KARTHIKA 1928

W.P.(C).No.18908 of 2006(A)

PETITIONER:-

DR. KAMALAKSHAN KOKKAL,
PRINCIPAL SCIENTIFIC OFFICER,
KERALA STATE COUNCIL FOR SCIENCE,
TECHNOLOGY & ENVIRONMENT, SASTRA BHAVAN,
PATTOM, TRIVANDRUM.

BY ADV. SRI.N.NANDAKUMARA MENON
SRI.P.K.MANOJKUMAR
SRI.N.P.SETHU

RESPONDENTS:-
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1. THE PRINCIPAL SECRETARY,
   FINANCE DEPARTMENT, SECRETARIAT, TRIVANDRUM.

2. SHRI. A.E.MUTHUNAYAKOM,
   EXECUTIVE VICE PRESIDENT,
   KERALA STATE COUNCIL FOR SCIENCE,
   TECHNOLOGY & ENVIRONMENT,
   SASTRA BHAVAN, PATTOM, TRIVANDRUM.

3. THE KERALA STATE COUNCIL FOR SCIENCE,
   TECHNOLOGY & ENVIRONMENT,
   REPRESENTED BY ITS EXECUTIVE VICE PRESIDENT.

4. THE KERALA LOKAYUKTA, REPRESENTED BY
   ITS SECRETARY, TRIVANDRUM.

5. THE CHIEF SECRETARY TO GOVERNMENT OF KERALA,
   SECRETARIAT, TRIVANDRUM.

R1 & R5 BY GOVERNMENT PLEADER SRI.T.B.HOOD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 - PHOTOSTAT COPY OF NOTICE RECEIVED BY PETITIONER FROM THE OFFICE OF THE LOKAYUKTA COMPLAINT NO.2170/2005 DATED 04.11.2005.

EXT.P2 - PHOTOSTAT COPY OF THE ORDER OF THE KERALA LOK AYUKTA COMPLAINT NO.2170/2005 DATED 26.10.2005 PASSED BY JUSTICE K.A.MOHAMMED SHAFI.

EXT.P3 - PHOTOSTAT COPY OF THE NEWS ITEM PUBLISHED BY THE MALAYALA MANORAMA MALAYALAM DAILY DATED 17.10.2005.

EXT.P4 - PHOTOSTAT COPY OF THE MEMO NO.3423/B5/02/STED DATED 4.9.2004 ISSUED BY THE EXECUTIVE VICE PRESIDENT TO THE PETITIONER.

EXT.P5 - PHOTOSTAT COPY OF THE DETAILED EXPLANATION TO EXHIBIT P4 SUBMITTED BY THE PETITIONER DATED 15.9.2004 TO THE EXECUTIVE VICE PRESIDENT K.S.C.S.T.E., PATTOM, TRIVANDRUM.

EXT.P6 - PHOTOSTAT COPY OF THE LETTER D.O.NO.56468/FIW-G1/04/FIN. DATED 13.9.2005 ISSUED BY K.JOSE CYRIAC TO Dr.A.E.MUTHUNAYAGAM, PRINCIPAL SECRETARY, SCIENCE, TECHNOLOGY & ENVIRONMENT DEPARTMENT.

EXT.P7 - PHOTOSTAT COPY OF THE LETTER NO.1959/05/C1/CSTE DATED 15.11.2005 ISSUED BY THE EXECUTIVE VICE PRESIDENT, TRIVANDRUM TO THE PETITIONER.

EXT.P8 - PHOTOSTAT COPY OF THE REPLY SENT BY THE DISCIPLINARY AUTHORITY TO EXHIBIT P7 NO.D.O.NO.108/EVP/2005/KSCSTE DATED 19.11.2005.

EXT.P9 - PHOTOSTAT COPY OF THE COUNTER AFFIDAVIT DATED 15.12.2005 FILED BY THE DISCIPLINARY AUTHORITY BEFORE THE LOK AYUKTA, COMPLAINT NO.2170.2005 WITHOUT EXHIBITS.

EXT.P10 - PHOTOSTAT COPY OF THE ADDITIONAL COUNTER AFFIDAVIT FILED BY DISCIPLINARY AUTHORITY COMPLAINT NO.2170/2005 DATED 24.1.2006 BEFORE THE HON'BLE KERALA LOKAYUKTA WITHOUT EXHIBITS.

EXT.P11 - PHOTOSTAT COPY OF THE ORDER PASSED BY THE LOK AYUKTA DATED 16.5.2006, COMPLAINT NO.2170/2005.

EXT.P12 - PHOTOSTAT COPY OF THE GOVERNMENT ORDER G.O.(RT.) NO.77/2002/STED DATED 25/3/2002 PASSED BY THE GOVERNMENT.

RESPONDENT'S EXHIBITS:- NIL.

- TRUE COPY -

V.K.Bali,C.J. & S.Siri Jagan,J.

W.P.(C).No.18908 of 2006-A

Dated, this the 10th day of November, 2006

JUDGMENT

V.K.Bali,C.J. (Oral)

Learned counsel for the parties are ad idem that the matter is covered in favour of the petitioner by Division Bench decision of this Court in **Ramachandran Master** v. **Kerala Lok Ayukta** [2006 (4) KLT 166). This petition is disposed of in terms of the decision in **Ramachandran Master's case** (supra) decided on 15.09.2006.

Sd/-
V.K.Bali
Chief Justice

Sd/-
S.Siri Jagan
Judge

vku/-

- true copy -